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RECLAIM YOUR SECURITIES

AN EVALUATION OF BIRTH CERTIFICATE SECURITIZATION AND THE NOMINEE FIDUCIARY ARCHITECTURE

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The contemporary global financial system operates within a paradigm established by the suspension of metallic standards, specifically the transition from a substance-based currency to a credit-based system following House Joint Resolution 192 in 1933.[1] This historical pivot fundamentally altered the nature of legal obligation, shifting the basis of "money" from a physical commodity to human productive capacity and enforceable promises.[1] Within this context, a complex body of private legal theory has emerged, asserting that the birth certificate serves as a negotiable instrument or a high-value bond that can be surrendered to the United States Treasury for the discharge of all public and private debts. This ideology, exemplified in documents such as the audio Reclaim Your Securities, represents a significant misinterpretation of the technical administrative mechanisms governing modern banking and tax reporting.[1] While the premise—that human energy has replaced gold as the primary collateral for the national debt—is directionally accurate, the operational methods proposed by proponents of "Redemption" theory are technically flawed and carry severe judicial consequences.[1]

The following evaluation, issued by Ecclesia Law, provides an exhaustive technical analysis of the birth certificate as an administrative construct, the role of agency in English Law, the mechanics of nominee architecture under IRS Publication 1212, and the legal reality of attempting to engage the United States Treasury as a private fiduciary for the "living man."

The Ontological Status of the Birth Certificate and the Doctrine of Persons

To evaluate the ideology of the birth certificate as a negotiable instrument, one must first deconstruct its legal nature. Under the framework of English Law and specifically the Interpretation Act 1978, the "person" is a statutory creation, distinct from the biological human being.[1] The birth certificate is the primary evidence of the registration of this legal persona, or "strawman," which acts as a vessel for interfacing with statutory commerce.[1] The registration process does not simply record a birth; it creates a "decedent estate" or a "corporate debtor" for which the living soul is presumed to be the agent and surety.[1]

The Birth Certificate as an Administrative Container

A fundamental error in "Redemption" ideology is the conflation of the administrative record with the financial asset. Proponents argue that the birth certificate itself is a bond with a specific liquid value held in a "Cestui

Que Vie" trust.[1] However, the birth certificate is an administrative container for the debtor estate; it identifies the collateral (the individual) so that when that individual signs a promissory note or mortgage, the signature can be monetized.[1] The certificate possesses no redeemable cash value within the Treasury system, as confirmed by the Bureau of the Fiscal Service, which identifies these claims as fictitious.[2]

The structural divergence between the birth certificate and the negotiable instruments generated by an individual's signature is detailed in the table below:

Feature	**The Birth Certificate (Debtor Estate)**	**The Promissory Note (Credit Source)**
Legal Function	Creates the Legal Person / "Strawman"	Captures the Living Soul's Productive Energy
Operational Role	The Debtor (Liable Party)	The Asset (Negotiable Instrument)
Financial Nature	Administrative Record	Financial Security / Original Issue Discount (OID)
Inherent Value	No Liquid Value	Dynamic Liquid Value generated via Signature
Banking Action	Identification of the Collateral	"Ex Nihilo" Creation of Credit/Money
Jurisdiction	Public Statutory / "Dead"	Private Commercial / "Living"

[1]Agency and the Interpretation Act 1978 in English Law

The connection between the living man and the artificial person is maintained through the Law of Agency.[1] In English law, the Interpretation Act 1978 provides that the term "person" includes any body of persons, corporate or unincorporate.[3] This allows the state to presume that the biological man appearing in court is

the authorized agent acting for the principal (the Person).[1] This "Agency Bridge" is the mechanism through which statutory liability is attached to the living man.[1]

When an individual attempts to "copyright" or "trademark" their legal name to secure immunity, they inadvertently cement this agency relationship.[1] Intellectual property law protects the creator of a work. Since the living man did not create the birth certificate or the legal persona—the State did via registration—asserting a trademark over the name is legally void and often viewed by courts as an admission of being the "beneficial owner" fully liable for the name's debts.[1]

Evaluation of the Negotiable Instrument Ideology in Reclaim Your Securities

The Reclaim Your Securities (RYS 48/55 minute audio) outlines a theory where the birth certificate is a "registered certificated security" under UCC Article 8 and 9.[1] The speakers suggest that once the "Registration of Live Birth" is placed in trust, it creates a debt on the books because the mother did not receive equal value in exchange for the pledge.[1]

The Indorsement Fallacy

The transcript posits that the individual is the "entitlement holder" and that the Registrar is merely a "custodian" of the security.[1] A central tenet of this belief is that the birth certificate must be "indorsed" on its face and returned to the custodian so that they become a "securities intermediary" obligated to protect the account from all claims.[1] Proponents argue that a "verbal endorsement" in court or a physical indorsement on the certificate can be used to authorize the settlement of charges.[1]

This theory is characterized as "about a quarter of the remedy" by those in the transcript, yet it remains functionally invalid in the public system.[1] The Department of the Treasury has repeatedly stated that birth certificates cannot be used as negotiable instruments or for purchases, nor can they be used to request savings bonds purportedly held in "secret accounts".[2] The belief that "indorsing" the front of a birth certificate provides a "directive from a beneficiary" to the Treasury is a folk interpretation of the Uniform Commercial Code (UCC) that does not align with the Treasury's actual accounting protocols.[1]

The Myth of the US Treasury as Nominee Trustee

A critical component of the ideology is the belief that the US Department of the Treasury acts as a nominee or trustee for the "living man".[1] Under this theory, the Treasury is supposed to maintain a "Treasury Direct Account" (TDA) funded by the bodies of its citizens as capital value.[2] Proponents believe they can send "sight drafts" or "money orders" drawn on these TDAs to pay for goods and services.[4]

However, the Department of Treasury is not a nominee for the living man under the doctrine of Holder in Due Course (HDC) as interpreted through IRS Publication 1212.[1]

1. **Treasury as Repository:** The Treasury functions as a repository for withheld taxes remitted by financial institutions (the actual nominees) via Form 945.[1] It does not maintain individual depository accounts for private citizens based on their birth certificates.[6]
2. **Definition of Nominee:** According to IRS Publication 1212, a "nominee" is a broker or middleman who holds a debt instrument for the true owner and receives OID income on their behalf.[1]
3. **Counterparty Status:** In the eyes of the system, the Treasury is the counterparty to the bank's reporting, not the fiduciary for the citizen's private energy.[1]

Consequently, attempting to "appoint" the Secretary of the Treasury as a trustee through UCC presentments fails because there is no mutual assent and no established account against which to draw.[2]

The Technical Architecture of Nominee Credit Recoupment via IRS Publication 1212

The true administrative pathway for reclaiming credit generated by human energy lies in the correction of "Nominee Misreporting" under the guidelines of IRS Publication 1212.[1] This process recognizes that banks and employers act as "withholding agents" and nominees who capture the credit created by a living soul's signature.[1]

Original Issue Discount (OID) and Ex Nihilo Banking

Under the Bills of Exchange Act 1882 and modern banking practices, when a borrower signs a promissory note or mortgage, they are creating a negotiable instrument "out of nothing".[1]

- **The Securitization:** The bank does not lend pre-existing deposits; it monetizes the borrower's signature and bundles the instrument into a security with a CUSIP number.[1]
- **The OID Income:** Original Issue Discount is the difference between an instrument's redemption price at maturity and its issue price.[1] Because the credit is created from the signature (issue price of zero), the entire face value of the loan can be viewed as OID income generated by the borrower.[1]
- **Nominee Practice:** Banks report this OID income under their own omnibus accounts or "street names," effectively "abandoning" the credit in the system because the true originator (the borrower) remains silent.[1]

Recoupment via the Clifford Protocol

The "Clifford Protocol" utilizes IRS Publication 1212 to correct this accounting error.[1]

1. **Fiduciary Standing:** To avoid being flagged as a "debtor" trying to wipe out a debt (which triggers IRS code 810 refund freezes), the individual establishes a 98-Series International Grantor Trust (IGT).[1]

2. **Holder in Due Course:** The Trust obtains a separate EIN and takes legal title to the instruments (the abandoned credit), positioning itself as the Holder in Due Course.[1]
3. **Corrective Filings:** The Trust files a Form 1099-OID, identifying the bank as the nominee. This filing asserts: "The bank received this OID as a nominee; I am the true beneficial owner, and I am correcting the record to claim the withheld tax/credit".[1]
4. **Verification (810 Code Algorithm):** The IRS verifies that the nominee's (bank's) Form 945 master record contains enough "negative numbers" (credits) to satisfy the Trust's claim.[1] If the math matches the bank's own remitted taxes, the credit is moved from the nominee's public ledger to the Trust's private ledger.[1]

Why the US Treasury is NOT a Nominee for the Living Man

A central theme in the user query is why the US Treasury is not a nominee for the living man under the HDC doctrine. IRS Publication 1212 clarifies that the requirement to report OID falls upon the "broker or other middleman" who holds the instrument on behalf of the beneficial owner.[1]

Identity	Technical Role	Relation to the Living Man
Commercial Bank	Nominee / Withholding Agent	Direct counterparty in credit creation (signature)
Employer	Withholding Agent	Primary capturing entity for W-2 labor credit
US Treasury	Repository / Master Ledger	Holder of "abandoned" remitted taxes via Form 945
Living Man	True Owner / Source of Credit	Generally silent/inactive in the OID reporting loop

The Treasury is the entity *to which* the taxes are withheld and remitted; it is the beneficiary of the public side of the transaction. For the Treasury to be a nominee, it would have to be holding an instrument for the living man's benefit in a private capacity, which it explicitly refuses to do.[1] The Holder in Due Course doctrine requires one to take an instrument for value and in good faith. The Treasury holds the "Master Record" of the bank's remitted taxes, and it only recognizes claims from entities (like a 98-Series Trust) that can prove they are the lawful successor to the credit through a technical data match with the bank's Form 945.[1]

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UCC Presentments and Fictitious Obligations: The US Treasury Response

When individuals send UCC-1 financing statements, "bonded promissory notes," or "sight drafts" to the US Department of Treasury, the reaction is not one of "banker's acceptance," but of criminal investigation.[2]

The Secret Service and 18 U.S.C. § 514

Under 18 U.S.C. § 514, it is a federal crime to pass, utter, or present any "false or fictitious instrument" that purports to be an actual security or financial instrument issued under the authority of the United States.[8]

- **Fictitious Instruments:** The Treasury classifies documents claiming to draw on "strawman accounts" or "birth certificate bonds" as fictitious obligations.[2]
- **The Secret Service:** The Secret Service has the authority to investigate these offenses, which are often characterized as "schemes or artifices to defraud".[8]
- **Alerts to Banking Industry:** The Office of the Comptroller of the Currency (OCC) and the Treasury Department have issued numerous alerts to the banking industry, identifying these documents as invalid financial instruments that recipients should not respond to or act upon.[9]

Consequences of UCC Filings against the Treasury

Filers who attempt to use UCC-1 statements to claim a security interest in their own birth certificate or to "release" federal tax liens often find themselves subject to:

1. **Administrative Rejection:** The filings are ignored or marked as fraudulent.[12]
2. **Obstruction Charges:** In cases like *United States v. Veral Smith*, filing false IRS forms and fictitious obligations against prosecutors and judges led to sentencing enhancements for obstruction.[11]
3. **Civil and Criminal Penalties:** The IRS and Justice Department have successfully prosecuted individuals for "frivolous" arguments, often resulting in "clawbacks" of any accidentally issued refunds and lengthy prison terms.[2]

Judicial Evaluation of Redemption Theories and Case Law

The courts view the ideology that the birth certificate is a negotiable instrument as "gibberish" or "nonsense".[1] Judges frequently bar defendants from raising "sovereign citizen," "strawman," or "redemption" arguments at trial to prevent jury confusion.[10]

Analysis of Key Cases

The table below outlines the outcome of several high-profile attempts to utilize these theories:

Case	Theory Attempted	Judicial Outcome
United States v. Anderson (2011)	Mortgage payments as "withheld OID income"	Refund clawbacks and lengthy prison sentences [1]
United States v. Brekke (2013)	Promoted OID scheme to discharge debts	Convicted of conspiracy to steal government money; 144 months in prison [13]
United States v. Heath (2014)	1099-OID used to reclaim "abandoned funds"	Convicted of false claims against the United States [1]
United States v. Barber (2015)	"Bonded Promissory Note" to pay mortgage	Convicted of mailing fictitious financial instruments with intent to defraud [14]

[1]

The "Executor De Son Tort" Trap in Court

Proponents often suggest "appointing the judge as trustee" to settle the case.[1] Ecclesia Law identifies this as a "functional fallacy".[1] Attempting to commandeer the judge's role without recognized fiduciary authority leads to the person being treated as an *executor de son tort*—an unauthorized intermeddler who is personally liable for the estate's penalties.[1] Rather than discharging the debt, this tactic confirms the individual's liability and often results in immediate incarceration for contempt or mandatory psychiatric evaluations.[1]

The Ecclesia Law Perspective: The Correct Administrative Sequence

Ecclesia Law advises that remedy is not found through confrontation in the public courts or by sending fraudulent bonds to the Treasury, but through the rigorous correction of standing and the administrative application of the Law of Agency.[1]

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The Envoy Protocol vs. The Redemption Fallacy

Instead of attempting to "own" the birth certificate (which cements the agency bridge of liability), the Envoy Protocol utilizes the doctrine of *Clausula Rebus Sic Stantibus* to renounce the unwanted agency relationship with the state-created persona.[1] The individual occupies the **Office of General Executor** of the legal estate, shifting from the role of "Subject" (liable surety) to "Administrator" (governing authority).[1] This allows the individual to direct the settlement of the estate's affairs from a position of stewardship rather than being a victim of the "strawman" identity.[1]

Fiduciary Recoupment via 98-Series Trusts

The Clifford Protocol provides the only doctrinally sound path for credit recoupment by adhering to the nominee reporting rules of IRS Publication 1212.[1] By utilizing a 98-Series International Grantor Trust, the claim is separated from the "debtor" SSN and processed as a mathematical ledger correction between commercial entities (the Bank and the Trust).[1] This method respects the system's own rules of "Nominee Architecture" and avoids the "fictitious obligation" penalties associated with sovereign citizen paperwork.[1]

Synthesis: Why the Negotiable Instrument Ideology Fails

The ideology evaluated in Reclaim Your Securities fails because it attempts to apply private commercial remedies (UCC indorsements) to public statutory records (Birth Certificates) without the necessary fiduciary standing.[1]

1. **Instrument Identification Error:** The birth certificate is a record of identity, not an asset. The asset is the signature on the note.[1]
2. **Nominee Misalignment:** The Treasury is not a nominee for the individual; it is the recipient of the nominee's (bank's) reporting. Claims must be filed against the nominee's ledger (Form 945) using a 98-Series Trust.[1]
3. **Jurisdictional Conflict:** Attempting to use "A4V" language on traffic tickets or indictments is viewed by the Treasury and the courts as "paper terrorism".[2]
4. **Agency Failure:** An individual cannot act as a "beneficiary" while still standing in the capacity of the "debtor" (using the SSN). Standing as a Holder in Due Course requires the establishment of a separate, recognized fiduciary entity.[1]

In conclusion, while the securitization of human energy is a reality of the post-HJR 192 paradigm, the birth certificate is merely the shadow cast by that securitization process. True remedy lies not in "indorsing the shadow," but in the fiduciary recoupment of the actual abandoned credit generated by one's own commercial signatures, performed in strict compliance with the nominee reporting architecture of IRS Publication 1212.[1] Attempts to engage the Treasury directly as a nominee via UCC presentments are technically unsound and lead inevitably to judicial rejection and criminal liability.[2]

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